

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DENNIS BOONE,

Plaintiff,

v.

SAFECO INSURANCE COMPANY  
OF INDIANA, *et al.*,

Defendants.

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CIVIL ACTION NO. 09-1613

**MEDIATION ORDER**

The court has determined that this case is appropriate for referral to mediation, consistent with the parties' stipulations stated on the record at the hearing held on February 8, 2010. If the case is not resolved in mediation, a status conference will be held on **May 7, 2010, at 8:30 a.m.** Within 10 business days from the date of this order, all counsel must contact the mediator to arrange the details of mediation. If the parties and mediator cannot agree on a date, the mediator will select a date, and the parties must appear as directed by the mediator. Mediation must occur no later than **April 30, 2010.**


All proceedings in a mediation session are confidential and privileged from discovery. No subpoena, summons, or discovery paper may be served at or near the location of any mediation session, on any person entering, leaving, or attending any mediation session.

Counsel and the parties are to endeavor in good faith to resolve the case through mediation. Each party who is a natural person must be present during the entire mediation. Each party that is not a natural person must be represented by a principal, partner, officer, or other representative with full authority to negotiate and make decisions on settlement. If one or more insurance companies

must be involved in a settlement of the case, a representative from each insurance company with authority to negotiate a settlement shall be present during the mediation.

The mediator and the parties will determine the fee for the mediation. The fee is to be divided equally by the parties unless otherwise agreed or ordered. Within 14 days after the mediation, the mediator must file with the Clerk the memorandum required by Local Rule 16.4.K. No information about the mediation, other than that required by Local Rule 16, may be given to the court by anyone.

SIGNED on February 8, 2010, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge